

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

LEE ANGROS,

Plaintiff,

v.

VENTANA MEDICAL SYSTEMS, INC.,

Defendant.

No. 5:12-cv-1262-R

SECOND JOINT MOTION FOR EXTENSION OF TIME FOR ANSWER

Plaintiff Lee Angros and Defendant Ventana Medical Systems, Inc. (“Ventana”) hereby respectfully request that the Court extend the time for Ventana to answer or otherwise respond to the Complaint to and including August 29, 2013.

The parties have been diligently involved in discussions to determine whether this matter can be resolved without the need for the current litigation. On June 28, 2013, the parties stipulated and requested that, in order for settlement negotiations to continue diligently, Ventana should have the full sixty (60) days to answer or otherwise respond to the complaint provided by Federal Rule of Civil Procedure 4(d)(3), making Ventana’s responsive pleading due on July 30, 2013. (Dkt. #13.) On July 1, 2013, the Court granted the parties’ request. (Dkt. #14.)

While the parties have continued to make progress toward determining whether the issues raised by the litigation can be resolved without the need for the current

litigation, there are a number of complex issues that the parties are continuing to work through, and several constituencies who need to be consulted. This process is ongoing and both sides continue to make diligent efforts in that regard. In addition, over the past 30 days, one of the key members of the Ventana team suffered an unexpected death in his family, which required him to spend a significant amount of time in Switzerland. This unfortunate development delayed discussions through no fault of either party.

Accordingly, pursuant to the parties' stipulation and in order for settlement negotiations to continue diligently, the parties request that the time for Ventana to answer or otherwise respond to the complaint be extended by thirty (30) days to and including August 29, 2013. The parties respectfully request that the Court enter the attached Proposed Order granting the same. This extension will not affect any other deadlines, because no other deadlines have been set.

Dated: July 26, 2013

Respectfully Submitted,

/s/ Phillip L. Free, Jr.

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